United Nations S/2010/36

Security Council

Distr.: General
21 January 2010

Original: English

Report of the Secretary-General on children and armed conflict in the Philippines

Summary

The present report, the second country report of the Philippines prepared pursuant to the provisions of Security Council resolution 1612 (2005), covers the period from 1 December 2007 to 30 November 2009, and gives an account of the grave violations of child rights committed in armed conflict situations in the Philippines.

Cases covered in the report include the significant developments involving the four major actors in the Philippines — the Armed Forces of the Philippines and the paramilitary Citizen Armed Force Geographical Unit; the Moro Islamic Liberation Front; the National Democratic Front of the Philippines — the New People's Army; and the Abu Sayyaf Group. The report also presents the progress made since the first country report, including the development of an action plan with the Moro Islamic Liberation Front, and the challenges encountered.

The report also presents a list of recommendations for the protection of children in conflict-affected areas, including the need for resources to be immediately mobilized for the implementation of the monitoring and reporting mechanism initiatives, with special focus on the development and implementation of action plans.

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I. Military, social and political developments in the Philippines

1. With the recent emergency caused by tropical storm Ketsana and typhoon Parma in September and October 2009, the focus of military operations shifted from internal security to disaster response, according to Defence Secretary Gilberto Teodoro. Personnel from the Armed Forces of the Philippines and the Philippine National Police were tasked to assist in disaster operations, temporarily suspending their offensive operations in typhoon-affected areas. The New People's Army (NPA) also halted their tactical offensives, particularly in Southern Tagalog and Central Luzon, to assist in community relief and rehabilitation efforts.

2. The national election scheduled for May 2010 is starting to affect the socio-political environment in the country, as political rivalries lead to increased violence, with armed clashes between political clans that are vying for political power erupting in Central Mindanao. The tension between political clans is a concern as many fear that collateral fighting in Mindanao and other areas may break out. This situation further complicates the existing displacement problem in the area. In September 2009, 400 more families in Pikit town of North Cotabato were displaced by fighting between political clans.[1] Political violence reached its peak with the 23 November 2009 massacre in Maguindanao province, which claimed the lives of 57 people. The casualties were part of a convoy of journalists and lawyers, accompanying the women relatives of Buluan town Vice Mayor Esmael Mangudadatu, who were on their way to the provincial capitol in Shariff Aguak to file Mangudadatu's certificate of candidacy for governor to challenge Datu Andal Ampatuan, Jr. Initial investigations reveal that, at approximately 10:30 in the morning, the convoy was blocked at a checkpoint manned by some 100 armed men allegedly led by Mr. Ampatuan. The remains of the 57 victims, many of whom were women, were later found that same afternoon in shallow graves, riddled with gunshot wounds. In response, the military heightened its operations to track down the suspects of the massacre. The massing of military troops particularly in the towns of Mamasapano, Shariff Aguak, and Datu Saudi Ampatuan, prompted the internally displaced persons who had recently settled in their homes to return back to evacuation centres.

Moro Islamic Liberation Front

3. Developments in the peace process between the Government of the Republic of the Philippines and the Moro Islamic Liberation Front (MILF) have been noted in the reporting period. The issue of ancestral domain[2] came to the fore and triggered renewed fighting between the Government forces and rogue elements of the MILF in August 2008. The Government forces immediately retaliated to MILF attacks on civilian communities with large-scale military operations against the troops led by rogue MILF commanders Abdullah Macapaar, alias "Bravo", Aleem Sulaiman Pangalian and Ameril Umbra Kato. Barely a month after the onset of that conflict,

[1] National Disaster Coordinating Council Update dated 12 September 2009.

[2] The formal signing of the memorandum of agreement on ancestral domain on 5 August 2008 was aborted because of a court injunction filed by those opposing the draft agreement. The memorandum of agreement would have started the creation of a Bangsamoro Juridical Entity, and an expansion of Bangsamoro homeland in parts of Mindanao and Palawan. Subsequently, on 14 October 2008, however, the Supreme Court ruled that the proposed agreement was unconstitutional.

the National Disaster Coordinating Council reported on 2 September 2008 that 88,378 families, or 432,772 persons, were displaced. That would include more than 300,000 displaced children in 11 provinces of southern Philippines. Despite the renewed conflict and the suspension of the peace talks, both sides reiterated their commitment to the peace process.

4. After a lull early in 2009, armed fighting between the Government and the MILF again erupted in the middle part of the year. Heightened military operations by the Armed Forces of the Philippines and seemingly coordinated grenade and improvised explosive device bombing attacks by suspected MILF elements in June and July 2009 further increased internal displacement, totalling more than 750,000 people in southern Philippines.[1] However, there are indications that the number of internally displaced persons slowly reduced during the last months of 2009 following the separate declarations of ceasefire by the Government and the MILF and the drop in the number of armed encounters.

5. Despite the stalled negotiations following the aborted signing of the memorandum of agreement on ancestral domain, informal talks between the Government and MILF panels were gradually revived and the groundwork set for the resumption of formal peace negotiations. Talks between the negotiating panels in July 2009 resulted in the Government's issuance of a Suspension of Military Operations, which was reciprocated by the MILF with its declaration of Suspension of Military Action. Although these suspensions are welcome, they have been unilaterally declared by both sides and have no defined duration or formal set of guidelines, as in the case of a ceasefire. The panels later met in Malaysia in August 2009 to plan the resumption of peace negotiations. They agreed to create an International Contact Group to mobilize international support for the peace process and to facilitate the stalled peace talks. In October 2009, Government and MILF panels also signed an Agreement on Civilian Protection Component of the International Monitoring Team, which reconfirms their obligations under international humanitarian law and human rights law, and includes provisions for the preservation of facilities vital for the survival of civilians, such as schools, hospitals and relief distribution sites.

Abu Sayyaf Group

6. The Abu Sayyaf Group remains active, particularly in the provinces of Basilan and Sulu. They have been associated with numerous kidnappings that targeted humanitarian workers, journalists, teachers and businessmen. This included the abduction of three Red Cross workers on 15 January 2009 and of three public schoolteachers in Zamboanga City immediately thereafter. Intensive Armed Forces of the Philippines military search operations followed each incident. Only a month after a staff member of the International Committee of the Red Cross was released, on 12 August 2009, the military launched a major offensive upon a training camp of the Abu Sayyaf Group at Sitio Kurellem, Silangkum in Tipo-Tipo town of Basilan province. After overrunning the Abu Sayyaf Group camp commanded by Furuji Indama and Khair Mundos, the military declared that their troops recovered a significant number of explosive devices. Both parties sustained heavy casualties in close day-long combat. Another military operation was conducted on 20 September 2009 to seize the main camp of the Abu Sayyaf in the province of Sulu. Military

[1] National Disaster Coordinating Council Sitrep No. 86 re IDPs in Mindanao dated 14 July 2009.

planes conducted air strikes over the area. In response, the Abu Sayyaf allegedly planted roadside bombs aimed at military troops stationed in Jolo, Sulu province. Although children have reportedly been associated with Abu Sayyaf units, no accurate estimate of numbers of children associated is currently available.

New People's Army

7. Prospects to resume negotiations with the National Democratic Front of the Philippines (NDFP), the political arm of the New People's Army (NPA), brightened when the Government of the Republic of the Philippines renewed, in August 2009, the Joint Agreement on Safety and Immunity Guarantees[4] for NDFP negotiators. But this soon dissipated as disagreements on the application of the Joint Agreement emerged leading to another impasse in the negotiations. Sporadic clashes between Armed Forces of the Philippines and New People's Army forces persist in the countryside. According to Armed Forces of the Philippines military sources, however, the NPA insurgency has substantially declined of late.

Armed Forces of the Philippines and the Philippine National Police

8. The Armed Forces of the Philippines is tasked with the main front-line security threats posed by non-State groups in the Philippines. However, the Philippine National Police, has taken on the role of reinforcing the Armed Forces of the Philippines in composite operations in selected conflict areas. Recently, the role of the Philippine National Police in counter-insurgency has been expanded further. In September 2009, the military turned over counter-insurgency operations in five conflict-affected provinces, including Marinduque, La Union and Bohol, to the police and local governments. These are areas where it is perceived that insurgency has significantly weakened, thus a new strategy that relies on law enforcement and less on military campaign was needed. This was announced by Armed Forces of the Philippines public information chief, Lt. Col. Romeo Brawner, Jr., on 16 September 2009, following the third-quarter assessment of internal security operations. According to Lt. Col. Brawner, the strengthened coordination between the Armed Forces of the Philippines and the Philippine National Police for internal security operations aims to provide stronger protection for civilian communities, including children.

II. Grave violations against children

9. Grave violations against children continue to be perpetrated by all parties to the conflict in the Philippines. There have been a greater number of children killed and injured owing to the armed conflict during this reporting period compared with the previous reporting period, and there has also been a notable increase in the use of improvised explosive devices in populated areas, causing more casualties among the civilian population. The country task force on monitoring and reporting has also verified a larger number of reports on cases of recruitment and use of children,

[4] The Joint Agreement on Safety and Immunity Guarantees was signed between the Government of the Philippines and the National Democratic Front of the Philippines (NDFP) on 24 February 1995. The primary purpose of the safety and immunity guarantees is to facilitate the peace negotiations, create a favourable atmosphere conducive to free discussions and free movement during the negotiations, and avert any incident that may jeopardize the negotiations.

attacks on schools and hospitals; and denial of humanitarian access. It should be noted, however, that these reports may only be indicative of the overall statistics on grave child rights violations given the difficulties of monitoring and responding to grave child rights violations in remote places in the country.

10. The reporting period has also been marked by positive developments in the area of child protection, such as the signing of an action plan to stop the recruitment and use of children agreed between the MILF and the United Nations in March 2009. The United Nations expects to be able to enter into similar dialogue soon with other parties to the conflict to prepare action plans to halt child recruitment and use, to stop grave sexual violence against children and killing and maiming of children as requested by the Security Council in its resolutions 1612 (2005) and 1882 (2009).

Challenges regarding verification of cases

11. The country task force continues to face tremendous challenges with regard to the monitoring of child rights violations under resolutions 1612 (2005) and 1882 (2009). The limited number of verified incidents may be attributed to a number of factors, including inadequate funding and hence human resource capacity for the implementation of the monitoring and reporting mechanism, as well as safety and security considerations for monitors, impeding access to affected areas. A significant portion of southwestern Mindanao continues to be highly restricted to United Nations travel, as armed skirmishes between non-State groups and Government forces intermittently erupt compounded by the tangible threat of abduction. This situation complicates the verification, monitoring and response activities for grave child rights violations in restricted areas of Zamboanga, as well as Sulu and Basilan provinces in Mindanao. However, strategies are being explored on how to establish monitoring mechanisms in these restricted areas, and to enhance the capacity and ability of the monitoring and reporting mechanism task force to monitor and report on violations, including the need to urgently mobilize funding resources.

A. Recruitment and use of children by armed forces and groups

12. In the reporting period, more cases of recruitment and use of children have been recorded and verified by the country task force. Greater awareness on the part of monitoring and reporting mechanism partners of the grave child rights violations has contributed significantly towards better collection and monitoring of cases. The country task force anticipates that more reports will be gathered when intensified advocacy on the monitoring and reporting mechanism is done, and secured access ensured in restricted areas. The following parties have been cited for recruitment and use of children: the Moro Islamic Liberation Front (MILF), the New People's Army (NPA), the Abu Sayyaf Group and the Armed Forces of the Philippines.

Moro Islamic Liberation Front

13. On 30 July 2009, the United Nations and the MILF signed an action plan to prevent recruitment and use of children in Mindanao. The action plan aims to facilitate the release, reintegration and rehabilitation of children from the ranks of the MILF. This commitment also contains provisions on advocacy and training on child protection, monitoring and assessment, and the establishment of Child Protection Units within the base commands of MILF. A supplemental general order

for the MILF-Bangsamaro Islamic Armed Forces (BIAF) is currently under review by the MILF and United Nations technical panels. The supplemental order is meant to reinstate and strengthen their policy on non-recruitment of children, provide the necessary sanctions for non-compliance, and formalize the creation of Child Protection Units within the MILF. The MILF leadership has consistently stressed that their commitment to the United Nations-MILF action plan covers all base commands of the MILF, including those identified as recalcitrant units under the command of Abdullah Macapaar, alias "Bravo", Aleem Sulaiman Pangalian and Ameril Umbra Kato. To facilitate cooperation of base commanders, advocacy efforts have been initiated by the MILF leadership from the time the action plan was signed. Updates on the action plan are regularly included in the meetings organized by the MILF leadership. More intensified implementation of the action plan will commence in 2010 with the conduct of rapid registration, provision of disarmament, demobilization and reintegration services for children associated with the MILF, and provision of basic support and advocacy services in MILF communities.

New People's Army

14. The NPA claim that they do not recruit and use children in their operations, and have emphasized their policy of non-recruitment in their communications to the United Nations. However, it should be noted that the armed group uses the narrow definition of those engaged directly in hostilities and not the definition of children associated with armed forces and groups set in 2007 by The Paris Principles: The Principles and Guidelines on Children Associated with Armed Forces or Armed Groups, which also includes children who have been used in any capacity, such as fighters, cooks, porters, messengers, spies or for sexual purposes. Verified reports have been received involving three boys, one 16-year-old and two 17-year-olds, who admitted their association with the NPA upon their surrender to Government authorities in the Province of Catanduanes in March 2008. These children have been turned over to the local social welfare office, and have been provided with rehabilitation services.

Abu Sayyaf Group

15. This group, associated with the Jemaah Islamiya, was listed after a confirmed report from a local news correspondent who was held captive in Sulu province for a week by the armed group in June 2008. She revealed after her release that three boys, whom she surmised were just 12, 15 and 17 years old, were among her armed captors. Additional serious allegations of child recruitment by the Abu Sayyaf Group continue to be reported. In the reporting period, the unstable situation and the unpredictability of this group impeded further monitoring of these incidents of recruitment. As mentioned earlier, a significant portion of southwestern Mindanao, particularly the areas where the Abu Sayyaf Group remains active, continues to be highly restricted to United Nations travel. This complicates verification, monitoring and response activities to grave child rights violations in these areas.

Armed Forces of the Philippines

16. Incidents of recruitment and use of children by the Armed Forces of the Philippines have been verified. In the reporting period, military personnel of the Armed Forces of the Philippines have been repeatedly involved in using children in military operations and recruiting minors into the paramilitary Citizen Armed Force

Geographical Unit (CAFGU) in violation of Philippine national law and international obligations applicable to the Government of the Philippines. Below are a few examples of verified incidents:

(a) In December 2007, members of the 16th and 59th Infantry Battalion of the Philippine Army recruited on behalf of the CAFGU underage members of an indigenous tribe in Quezon Province. The members of the 16th and 59th Infantry Battalion called a community meeting and coerced residents, including youth aged 15 to 17 from the Dumagat tribe, into signing up for the CAFGU. To avoid forcible enlistment in the paramilitary group, residents fled their homes. They are now among the displaced families in Quezon province, who are being assisted by the local government;

(b) Two incidents of Armed Forces of the Philippines personnel using children during military operations have also been reported: one incident involved a 16-year-old boy who was taken on 12 January 2008 by the Regional Mobile Group in Claveria, Masbate Province, as a guide and informer to identify civilians allegedly visited by the New People's Army cadres. In another, a 17-year-old boy from Barcelona, Sorsogon Province, was used by members of the 3rd Scout Rangers Battalion to carry their backpacks during military operations from 15 to 19 April 2008. Complaints have been filed by human rights groups for all these incidents, and the joint monitoring committees of the Government of the Republic of the Philippines and the National Democratic Front of the Philippines are closely monitoring these cases.

17. There have also been allegations of cases of illegal detention of children. From the cases brought to the attention of the United Nations in 2009, it appears that the Armed Forces of the Philippines military increasingly employs the strategy of temporarily detaining suspected members or sympathizers of armed groups, including children, in efforts to intimidate members of these groups to determine their whereabouts.

18. Six cases have been brought to the country task force between January and November 2009, involving boys accused by Armed Forces of the Philippines elements of being members of armed groups. One incident involved members of the 29th Infantry Battalion who conducted operations in Tugaya, Valencia City on 30 January 2009. Members of the 29th Infantry Battalion accused two teenage boys of being New People's Army members, and later detained them in Malaybalay City. The first victim was released on the same afternoon but the second victim was released only three days later. Another case, involved three boys in Midsayap town of North Cotabato province who were apprehended on 1 March 2009 by elements of th. 7th and 40th Infantry Battalion of the Philippine Army, who accused them of being members of the MILF's recalcitrant commands. United Nations partners reported that the boys were allegedly blindfolded and mistreated, and forced to admit that they are members of the 105th Base Command of the MILF under Ameril Umbra Kato. The victims were released the next day.

B. Killing and maiming of children

19. Trends show that there has been an upsurge in the number of confirmed incidents of killing and wounding of children since the last report. Twenty-seven children were killed and another 70 wounded between December 2007 and

November 2009, whereas 19 children were killed and 42 wounded in the previous reporting period. More than half of the victims were girls. This is primarily due to the intensification of fighting, especially in the Mindanao Provinces. Almost 80 per cent of the casualties are due to increased armed clashes between the Government military forces and the MILF recalcitrant commands after the aborted signing of the memorandum of agreement on ancestral domain in August 2008. There has also been a noted increase in the use of improvised explosive devices by armed groups in highly populated areas, causing greater casualties among the civilian population.

Unidentified perpetrator

20. Ten children including five girls, from 5 to 17 years of age, were wounded while two boys, a 1-year-old and a 9-year-old, were killed in a series of grenade and improvised explosive device explosions from June to July 2009 in Mindanao. These incidents include the 5 July 2009 bombing near the Immaculate Conception Cathedral in Cotabato City that claimed the lives of two boys and injured three more children. Investigations are still ongoing to determine the perpetrator of the series of bombings.

New People's Army

21. There have been reported incidents of killing and maiming of children by the New People's Army. A 5-year-old girl was killed by a stray bullet during operations of the New People's Army against a suspected informer in Compostela Valley on 31 October 2008. An ambush incident on 13 July 2009 in Toboso town in Negros Occidental province resulted in the death of a 14-year-old boy and injured a 15-year-old girl. In both cases, the New People's Army apologized in a press release.

Moro Islamic Liberation Front

22. Four children (two girls and two boys) were reportedly killed and eight others (four boys and four girls) were maimed when the elements of the rogue MILF 102nd Base Command under Abdullah Macapaar, alias Commander "Bravo", launched raids in Kolambugan and Kauswagan towns in Lanao del Norte Province on 18 August 2008.

Armed Forces of the Philippines

23. There have been allegations of incidents of killing and maiming of children by the Armed Forces of the Philippines in the course of military operations against the MILF. Reported incidents show that members of the Armed Forces of the Philippines and the paramilitary CAFGU have been responsible for the killing of 16 children and the wounding of 28 others in the reporting period. A significant number of them are casualties of Armed Forces of the Philippines aerial and artillery bombardment in the province of Maguindanao, while the remaining victims are casualties in military operations against the Abu Sayyaf Group and New People's Army.

24. Below are examples of these reported incidents:

(a) Four children (two boys and two girls) were wounded in crossfire during an armed encounter between Armed Forces of the Philippines and MILF forces near

an internally displaced persons camp in Datu Piang, Maguindanao on 26 September 2008.

(b) Mortar shelling by the military against recalcitrant MILF commanders caused serious injuries to two boys and two girls (from age 7 to 17) in three separate incidents on 27 April and 15 and 17 June 2009, in the towns of Mamasapano, Datu Piang, and Datu Unsay in Maguindanao province. From the accounts of surviving victims and witnesses gathered by United Nations partners in the field, two of the incidents happened near evacuation centres in Mamasapano town.

C. Rape and other grave sexual violence

25. The Philippine country task force has not received any cases of rape or other grave sexual violence committed against children in the context of armed conflict in the reporting period. It should be noted, however, that these incidents might also go highly underreported given the associated stigma.

26. In the first country report of the Philippines, a case of sexual assault perpetrated by a member of the 40th Infantry Battalion of the Philippine Army stationed in Maguindanao was mentioned. A 15-year-old girl from North Cotabato province was sexually assaulted on 19 September 2006. The country task force was informed by the Armed Forces of the Philippines that it has discharged from military service the personnel who perpetrated this assault on 7 February 2008. However, to date, this member of the Armed Forces of the Philippines has not been prosecuted.

27. The case of sexual assault by a member of the 30th Infantry Battalion of the Philippine Army in Butuan City against a 14-year-old girl, as reported by the Secretary-General in his eighth report on children and armed conflict, is being closely monitored. Since the incident had been forwarded to the United Nations Special Representative on Children and Armed Conflict in December 2008, the military has issued a directive to all its ranks to reiterate the military's policies prohibiting child abuse. The victim filed a formal complaint against the suspect, and the trial for qualified rape is still in progress.

D. Abduction

28. No incident of abduction has been reported to the country task force in the reporting period.

E. Attacks on schools and hospitals

29. There has been a considerable increase in cases of attacks on schools and hospitals in the reporting period. In 2008 alone, the United Nations country task force recorded four cases of schools and day-care centres that were used as temporary military camps during armed operations. From January to November 2009, seven incidents of attacks on schools and hospitals have been verified by the country task force. All incidents resulted from ongoing clashes between the military and non-State armed groups save for the New People's Army. Also, schools have been subjected to military occupation on several occasions.

Moro Islamic Liberation Front

30. Five classrooms were razed during the raids of the 102nd Base Command of the MILF in the municipalities of Kauswagan and Kolambugan, Lanao del Norte on 18 August 2008. The rogue MILF troops burned the classrooms of Central Elementary School in Kolambugan town, apparently because of their disappointment resulting from the aborted memorandum of agreement on ancestral domain signing.

Abu Sayyaf Group

31. There were accounts of schoolteachers who were abducted in Zamboanga and Sulu provinces by members of the Abu Sayyaf, causing fear among the civilian population and disrupting the learning activities of children in conflict-affected areas. Owing to extreme safety and security risks for monitors and impediments to access of areas, the country task force monitors these cases of abduction through local United Nations partners and media reports and cannot currently give greater detail.

Armed Forces of the Philippines and paramilitary groups

32. The country task force verified that members of the 50th and 503rd Infantry Battalion have set up camps in the primary school and other community facilities of Tubo town in Abra in March 2008. Another incident was recorded on March 2008 in Pikit, North Cotabato, involving members of the 7th Infantry Battalion and 6th Infantry Division who occupied the barangay's day-care centre.

33. Elements from the 58th Infantry Battalion of the Philippine Army and paramilitary elements in the upland barangay Lianga in Surigao del Sur province, occupied the communities of indigenous Manobo tribes, and occupied civilian houses and the local school, after the residents were forced to evacuate last June 2009 for fear of being caught in the crossfire between the military and the New People's Army.

Unidentified perpetrators

34. The case of a mortar shelling landing in a school campus in Pikit in North Cotabato Province on 6 August 2009 has also been reported. The resulting explosion at the school facility, which also serves as temporary shelter for displaced families, wounded eight children, including four girls. Investigation by the local government and local Philippine National Police is still ongoing to determine the perpetrator of this explosion.

35. Periodic reports of the Philippine Department of Health Emergency Alert Reporting System[5] documented rural health facilities in Basilan that were partially damaged during armed encounters between the Abu Sayyaf Group and the military throughout 2009. While these health facilities remain functional, repairs have frequently been interrupted by the intermittent conflict.

[5] Department of Health's Emergency Alert Reporting System (DEARS) as of 6 August 2009, 11 September 2009 and 8 October 2009.

F. Denial of humanitarian access to children

36. An incident which was reported to the country task force involved an unidentified armed group which confiscated relief goods from an unmarked delivery truck hired by the World Food Programme. The relief supplies were intended for displaced communities in Mamasapano town of Maguidanao province. Investigations followed but the group which confiscated the goods remains to be identified.

III. Implementation of the monitoring and reporting mechanism in the Philippines and follow-up to conclusions of the Security Council Working Group on Children and Armed Conflict

37. As mentioned earlier, the country task force is facing serious challenges for verification of grave child rights violations. Financial resources for the monitoring and reporting mechanism from the United Nations country task force remain very limited and allow for only one staff member to be dedicated to monitoring and reporting mechanism tasks. These limitations at the level of the country task force impede the quick monitoring and response concerning cases of grave child rights violations and the implementation of the United Nations-MILF action plan.

38. Another factor to be considered is the uneven capacity and priorities of partners documenting grave violations. While a significant number of civil society and grass-roots organizations monitor child rights violations by the Government, only a few are actually monitoring non-State actors, which must be rectified if the monitoring and reporting mechanism is to function to its full potential for the protection of conflict-affected children in the Philippines.

Follow-up to specific recommendations of the Security Council Working Group on Children and Armed Conflict

39. In November 2008, the country task force organized a dialogue with the Presidential Adviser on the Peace Process and members of the Inter-Agency Committee on Children Involved in Armed Conflict to discuss the implementation of the conclusions of the Security Council Working Group on Children and Armed Conflict. Among the recommendations from this meeting were: the designation of heads of the human rights offices of the Armed Forces of the Philippines and the Philippine National Police as the high-level security focal points to work with the country task force and the inclusion of the protection of children in the agenda of the peace talks.

40. UNICEF has provided technical assistance and initiated consultation meetings with the Presidential Adviser on the Peace Process on the process of including provisions specific to child protection in peace agreements. However, the rapidly changing developments in the peace negotiations and the upcoming elections have delayed the process of formally integrating and actualizing the component of child protection in the peace agreements.

41. Orientation briefings on the status of the monitoring and reporting mechanism implementation have been arranged with the diplomatic and donor communities. Although a number of partners have expressed openness to support monitoring and reporting mechanism initiatives, additional financial assistance is still needed to fully implement these efforts, especially for the implementation of the United Nations-MILF action plan, and the development of similar plans with other armed groups.

42. In partnership with the Council for the Welfare of Children Sub-Committee on Children Affected by Armed Conflict and Displacement, the country task force has implemented several monitoring and reporting mechanism-related initiatives. Efforts on monitoring and reporting of grave child rights violations was further boosted when the Government issued Administrative Order 249 in December 2008, directing the Council for the Welfare of Children, in partnership with the Office of the Presidential Adviser on the Peace Process, to advance and implement a more effective framework that will further guarantee the protection of children in situations of armed conflict.

43. To expand the country-specific knowledge base on monitoring and reporting mechanism, the Philippine country task force on monitoring and reporting has initiated monitoring and reporting mechanism-related studies. The Evaluation on the Implementation of Executive Order No. 56 (series of 2001) and the Children Involved in Armed Conflict Comprehensive Programme Framework assessed the relevant work done from 2001 to the present, by the 17 government agencies mandated to implement the comprehensive programme. This evaluation study identified recommendations to guide further action for the protection of children involved in armed conflict. Meanwhile, the Resource Mapping of available Services & Resources of various agencies to Victims of Grave Child Rights Violations aims to develop a resource handbook to assist social workers, service providers and parents on how to access services and assistance for children victims of grave child rights violations. This study shall serve as a key reference in improving the system of response for victims.

IV. Status of action plans to halt the recruitment and use of children in armed conflict

44. In fulfilment of Security Council resolutions 1539 (2004) and 1612 (2005) and pursuant to commitments made to my Special Representative for Children and Armed Conflict by the MILF leadership in December of 2008, UNICEF initiated a series of meetings with the MILF in March 2009. These meetings resulted in the finalization and formal signing of the action plan on 30 July 2009. The action plan aims at ensuring the release and reintegration of children identified in the ranks of the MILF and includes provisions for prevention of recruitment of children, accountability, advocacy and training in child protection, monitoring and assessment, and the establishment of Child Protection Units within the base commands of MILF.

45. The process leading to the adoption of the action plan has not been an easy one but has been accelerated thanks to the openness of the Government of the Philippines and to the readiness of the MILF leadership to cooperate with the United Nations country task force. However, despite these positive developments,

implementation of the action plan is currently highly compromised by the urgent need for funding. Necessary resources have to be immediately mobilized in order to allow effective field monitoring and rapid registration, family tracing, and rehabilitation and reintegration activities. Adjustments to the timelines of the Action Plan are being made in consideration of the aforementioned funding gaps.

46. Follow-up meetings are currently taking place to discuss the details of implementation. Once the supplemental general order regarding the implementation of the outline of the action plan is issued by its military command, the MILF has committed to convene the front commanders to inform them about the action plan and its provisions. In consultation with the MILF, steps are already under way to initiate the rapid registration of children associated with the MILF, and the release and reintegration process.

47. In order to keep the authorities updated on these developments with the MILF, a series of meetings with H.E. Mr. Avelino I. Razon Jr., Presidential Adviser on the Peace Process, has taken place in the past months. The Government was encouraged by this progress and was optimistic that this action plan could be the springboard of similar negotiations with other non-State actors to halt the recruitment and use of children.

48. The country task force is also seeking to enter into similar action plans with other armed groups, such as the New People's Army. However, the continued suspension of the peace talks with the New People's Army is a major roadblock for these discussions in the short term. With regard to the Abu Sayyaf Group, the absence of a political wing and the risks involved impede possibilities for the United Nations to engage with this group at this time. The country task force is exploring partnerships with the Office of the Presidential Adviser on the Peace Process and the negotiating panels for these non-State parties. It is hoped that coordination with these panels will prepare the groundwork for the development of similar action plans.

V. Recommendations

A. Recommendations to the Government of the Philippines

49. The Government is urged to ensure that the Armed Forces of the Philippines and the paramilitary groups immediately stop committing grave violations against children, including recruitment and use, killing and maiming of children and the illegal occupation of schools.

50. I encourage the Government to continue its support for the implementation of the United Nations-MILF action plan, and to facilitate dialogues for the development of similar plans with other non-State armed groups to halt the recruitment and use of children, as well as prevent and respond to other violations against children.

51. Within the framework of the peace negotiations, consultations with the country task force should continue to ensure the consideration and integration of specific provisions on child protection in the agenda of peace talks.

52. I welcome the capacity-building of security focal points at the human rights offices of the Armed Forces of the Philippines and the Philippine National Police and I encourage the Government to seek technical assistance from the country task force to strengthen the capacity of its military forces to protect the children in conflict areas. Better protection of non-combatants and civilian population in conflict-affected areas can be ensured by integrating child protection in the training curriculum of military, police, paramilitary and security personnel.

53. As highlighted during the visit of my Special Representative on Children and Armed Conflict, it remains crucial that all cases of sexual assault perpetrated by military personnel against children be fully investigated and the incriminated member of the Armed Forces of the Philippines prosecuted to ensure the proper dispensation of necessary disciplinary attention, and to guarantee the safety of the victims.

54. Further attention on the amendment of Republic Act No. 7610 should be given as highlighted in my first report on children and armed conflict in the Philippines (S/2008/272), to ensure that children associated with armed groups and forces are not prosecuted and are treated in accordance with the memorandum of agreement on the treatment and handling of children involved in armed conflict.

B. Recommendations to the Moro Islamic Liberation Front

55. I welcome the collaboration of the MILF with the United Nations for the implementation of the action plan to halt the recruitment and use of children and I strongly urge the continuation of such partnerships. The immediate issuance of the supplemental general order is recommended to facilitate the release of children that may be found within their ranks as well as the implementation of necessary sanctions for non-compliance with the action plan signed with my country team.

56. The MILF is requested as a matter of priority to clarify its position with regard to rogue commanders in its ranks and on how the action plan is expected to be implemented among these units.

57. I also welcome the agreement with the MILF on the protection of non-combatants and the preservation of community facilities vital for the survival of the civilian population in conflict-affected areas, and I strongly encourage the fast implementation of such agreement.

C. Recommendations to the New People's Army

58. The NPA is strongly encouraged to uphold its commitment to respect the rights of children, as embodied in the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law.

59. I urge the NPA to maintain open communications with the United Nations to engage in the development of an action plan to halt the recruitment and use of children in their ranks and ensure immediate separation of any children associated with the armed group. The action plan will have to be in line with Security Council resolution 1612 (2005), as well as with the Paris Principles and Guidelines on Children Associated with Armed Forces or Armed Groups.

60. In order to facilitate monitoring and verification on the situation of children affected by armed conflict, the NPA is requested to allow unimpeded access to monitoring and reporting teams, to guarantee the safety and security of these teams and to designate monitoring focal points within its ranks.

D. Recommendations to Abu Sayyaf armed groups

61. The Abu Sayyaf Group is requested to immediately stop recruiting and using children in their ranks and to refrain from committing other grave violations against children, including killing and maiming of children and denial of humanitarian access.

62. I urge the Abu Sayyaf Group to open its channels of communication with the United Nations in the development of an action plan to halt the recruitment and use of children in their ranks and ensure immediate separation of any children associated with this armed group. The Action Plan will have to be in line with Security Council resolution 1612 (2005), as well as with the Paris Principles and Guidelines on Children Associated with Armed Forces or Armed Groups.

63. In order to facilitate monitoring and verification on the situation of children affected by armed conflict, the Abu Sayyaf Group is requested to allow unimpeded access to monitoring and reporting teams, to guarantee the safety and security of these teams and to designate monitoring focal points within its ranks.

E. Recommendations to the international community

64. I strongly encourage the international donor community to provide necessary resources to assist the country task force in enhancing all aspects of monitoring and responding to grave child rights violations, particularly in upgrading the human resource capacity and in funding the MILF action plan already signed and awaiting implementation.